



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5323

Introduced 01/26/06, by Rep. William B. Black

SYNOPSIS AS INTRODUCED:

225 ILCS 650/5

from Ch. 56 1/2, par. 305

Amends the Meat and Poultry Inspection Act. Exempts from the Act caterers that serve consumers directly or deliver to consumers or facilities licensed by local and county health departments, with respect to processed foods that are approved by the the USDA, and that do not process any raw meats. Effective immediately.

LRB094 19062 RAS 54564 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Meat and Poultry Inspection Act is amended
5 by changing Section 5 as follows:

6 (225 ILCS 650/5) (from Ch. 56 1/2, par. 305)

7 Sec. 5. Exemptions - Producers, Retailers, ~~and~~ Poultry
8 Raisers, and Caterers.

9 The following types of establishments are exempt from the
10 specific provisions of this Act:

11 (A) A "producer" means any person engaged in producing
12 agricultural products, for personal or family use, on whose
13 farm the number of animals or poultry is in keeping with the
14 size of the farm or with the volume or character of the
15 agricultural products produced thereon, but does not mean any
16 person engaged in producing agricultural products who:

17 1. actively engages in buying or trading animals or
18 poultry or both; or

19 2. actively engages directly or indirectly in
20 conducting a business which includes the slaughter of
21 animals or poultry or both, for human food purposes; or

22 3. actively engages, directly or indirectly, in
23 canning, curing, pickling, freezing, salting meat or
24 poultry, or in preparing meat or poultry products for sale;
25 or

26 4. slaughters or permits any person to slaughter on his
27 or their farm animals or poultry not owned by the producer
28 for more than 30 days.

29 (A-5) Retail dealers or retail butchers with respect to
30 meat or poultry products sold directly to consumers in retail
31 stores; provided, that the only processing operation performed
32 by such retail dealers or retail butchers is the cutting up of

1 meat or poultry products which have been inspected under the
2 provisions of this Act and is incidental to the operation of
3 the retail food store.

4 (B) Poultry raisers with respect to poultry raised on their
5 own farms or premises (a) if such raisers slaughter,
6 eviscerate, or further process not more than 5,000 poultry
7 during the calendar year for which this exemption is being
8 granted; (b) such poultry raisers do not engage in buying or
9 selling poultry products other than those produced from poultry
10 raised on their own farms or premises; (c) such poultry or
11 poultry products are slaughtered, otherwise prepared, sold or
12 delivered to the consumer on or from the premises for which the
13 exemption is given; (d) such slaughter or preparation shall be
14 performed in sanitary facilities, in a sanitary manner, and
15 subject to periodic inspection by Department personnel; (e)
16 persons desiring such exemptions shall submit in writing a
17 request to the Department. The exemption shall be effective
18 upon written notice from the Department and shall remain in
19 effect for a period of 2 years, unless revoked. Adequate
20 records must be maintained to assure that not more than the
21 number of exempted poultry are slaughtered or processed in one
22 calendar year. Such records shall be kept for one year
23 following the termination of each exemption. Any advertisement
24 regarding the exempt poultry or poultry products shall reflect
25 the fact of exemption so as not to mislead the consumer to
26 presume official inspection has been made under the Meat and
27 Poultry Inspection Act.

28 (C) Caterers that serve consumers directly or deliver to
29 consumers or facilities licensed by local and county health
30 departments, such as child care facilities and schools, with
31 respect to processed foods that are approved by the the USDA,
32 and that do not process any raw meats.

33 (Source: P.A. 91-170, eff. 1-1-00; 91-614, eff. 1-1-00; 92-16,
34 eff. 6-28-01.)

35 Section 99. Effective date. This Act takes effect upon

1 becoming law.